

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

MAJED TALAT HAJBEH,
a/k/a "Abu Khaled"

Defendant.

Case No. 1:20-mj-

UNDER SEAL

**AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT AND ARREST WARRANT**

Michael M. Skapes, being duly sworn, says:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation and have been since 2017. I am currently assigned to the Joint Terrorism Task Force at the FBI Washington Field Office. In this capacity, I have participated in investigations of individuals engaged in the support of terrorism and terrorist activity. I have also investigated multiple counter-terrorism cases, and have worked cases related to child exploitation and child pornography. Before this assignment, I was an Intelligence Analyst working in the area of child exploitation and child pornography. I am familiar with the search, examination, and exploitation of information obtained from cellular phones, computers, and the Internet, including social media, electronic mail, online messaging applications, and metadata associated therewith.

2. Before becoming a Special Agent with the FBI, I was an Intelligence Analyst with the FBI from 2014 until 2017. During that time, I was assigned to the Violent Crimes Against Children Intelligence Unit at FBI Headquarters. In that capacity, I participated in investigations involving individuals who committed crimes against children, including the production, possession, and distribution of child pornography. I have participated in many aspects of these federal investigations including, but not limited to: review of child abuse images and videos, victim and subject identifications, federal search warrants, and communications analysis.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant charging Majed Talat Hajbeh, a/k/a “Abu Khaled,” of Woodbridge Virginia, with transportation of child pornography, in violation of 18 U.S.C. § 2252(a)(1) & (b)(1). For the reasons set forth below, I submit that there is probable cause to believe that in or around May 2018 through around June 2020, Hajbeh knowingly transported child pornography in Woodbridge Virginia, which is within the Eastern District of Virginia.

4. The statements contained in this affidavit are based on my experience and background as a Special Agent and Intelligence Analyst working in the area of child exploitation and child pornography, on information provided by other law enforcement agents, and on my review of reports and records. I have not set forth every fact resulting from the investigation; rather, I have set forth a summary of the investigation to date to establish probable cause.

RELEVANT LAW

5. Title 18, U.S. Code, Section 2252(a)(1), prohibits “knowingly transport[ing] or ship[ping] using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means including by

computer or mails, any visual depiction, if the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct, and such visual depiction is of such conduct."

6. The term "minor," as defined in 18 U.S.C. § 2256(1), means any person under the age of 18 years.

7. The term "sexually explicit conduct," as defined in 18 U.S.C. § 2256(2)(A)(i)–(v), means actual or simulated: (a) sexual intercourse, including genital-genital, oral-genital, anal genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the genitals or pubic area of any person.

8. The term "visual depiction," as defined in 18 U.S.C. § 2256(5), includes undeveloped film and videotape, data stored on computer disc or other electronic means which is capable of conversion into a visual image, and data that is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format.

STATEMENT OF PROBABLE CAUSE

9. The underlying investigation concerns, *inter alia*, the unlawful transport of images and videos depicting child pornography via an encrypted mobile messaging application (the "Messaging Application") and downloaded to a computer and smartphone via iCloud, an internet and electronic storage account. The Messaging Application and iCloud affect and operate in interstate commerce, as do the other facilities used by Hajbeh to transport images of child pornography. The computer and smartphone used by Hajbeh were manufactured in and affecting interstate commerce, as were the other devices used by Hajbeh to transport images of child pornography. As

described below, I submit that probable cause exists to believe that between in or around May 2018 and in or around June 2020, Hajbeh used one or more messaging application accounts and iCloud accounts on more than one digital device to knowingly transport child pornography.

10. Majed Talat Hajbeh resides in Woodbridge, Virginia. According to many individuals who interact with Hajbeh, he is often referred to as "Abu Khaled" ("Father of Khaled"). Hajbeh owns a business called "Hajbeh Tutoring LLC" and tutors children and families in the Northern Virginia area in the Quran and the Arabic language. The lessons take place at Northern Virginia area mosques as well as at the children's homes. According to a number of sources, Hajbeh is known to use multiple smartphones, cell phone numbers, and Messaging Application numbers that Hajbeh changes often.

11. Based on my training and experience, I know that encrypted mobile messaging applications such as the Messaging Application are a method of communication available to Internet users. Encrypted mobile messaging applications allow users to communicate and share media, including images and videos, with a sense of heightened anonymity. The Messaging Application is an end-to-end encryption messaging service. The Messaging Application can be used on mobile devices, as a web browser, or as a desktop application. Users can create "groups" to send messages. Users can select the participants in groups by choosing users from their contact lists. Additionally, once the group is created, administrators of these groups have the ability to invite others to the group through a group invitation link. To join a group, a user must be added by the group creator or be sent an invitation link to the group by the administrator. In some cases, a link is posted within another Messaging Application group or online for others to click and join that specified Messaging Application group.

12. Records from cellphone companies and the Messaging Application reflect that Hajbeh does use multiple smartphones, cell phones, and Messaging Application numbers that he routinely changes. The following telephone numbers and Messaging Application accounts are known to be used by Hajbeh:

- a. +1-xxx-xxx-5386 (“Account 1”): The owner name of this Messaging Application account is “Majed.” Two confidential human sources (“CHS 1 and 2”), who have provided reliable, corroborated information in the past, reported receiving Messaging Application messages from Hajbeh in December 2019 and January 2020 from this account.
- b. +1- xxx-xxx-9283 (“Account 2”): This account is associated with an iPhone 8 Plus with push name “Majed Abu Khaled.” CHS 1 reported receiving a Messaging Application message from Hajbeh using this account in October 2019.
- c. +1- xxx-xxx-7334 (“Account 3”): T-Mobile records identify “Majed Hajbeh” as the subscriber to this phone number. CHS 1 reported receiving Messaging Application messages from Hajbeh using this account in December 2019.
- d. +1- xxx-xxx-8197 (“Account 4”): This account has the push name “Abu Khalid.” CHS 2 reported receiving Messaging Application messages from Hajbeh using this account in February 2020.
- e. +1- xxx-xxx-3589 (“Account 5”): This account has the display name “Majid, my red phone.” CHS 2 reported receiving Messaging

Application messages from Hajbeh using this account in December 2019.

13. Between March and June 2020, the FBI executed multiple search warrants on Hajbeh's known Messaging Application numbers and other facilities, his two residences, and his vehicle. As a result of the searches, the FBI seized multiple digital devices belonging to Hajbeh and recovered evidence of child pornography on devices and in Messaging Application accounts used by Hajbeh. The results of these search warrants are described in detail below in this affidavit.

14. Some of the child pornography was observed by law enforcement agents in Hajbeh's recorded Messaging Application communications. Additionally, Hajbeh sent child pornography to himself by forwarding images from one Messaging Application account to another.

15. Additionally, a review of device location data indicates that Hajbeh sent child pornography to himself on several different occasions while at the homes of children Hajbeh was tutoring.

16. On June 23, 2020, law enforcement agents executed a search warrant on Hajbeh's residence and vehicle. Pursuant to the warrant, law enforcement agents seized several digital items, including computers and smartphones.

17. At the time the search warrant was executed, law enforcement agents informed Hajbeh of the nature of the investigation, and he agreed to a voluntary interview, which was recorded.

18. During his interview, Hajbeh confirmed that he received and viewed child pornography via the Messaging Application. Hajbeh said that after receiving the child pornography, he would delete the images and videos. According to Hajbeh, most of the

child pornography was sent via Messaging Application groups. Hajbeh entered some of these Messaging Application groups knowing that he would receive child pornography. Hajbeh viewed child pornography sometimes monthly, weekly, or daily. Most of the content consisted of videos.

19. Hajbeh told the interviewing agents that he had viewed child pornography ranging from infants to prepubescent children to teenagers. Hajbeh described having seen “all age.” Hajbeh said he had seen pornography as young as babies. Hajbeh admitted that he watched the videos, then deleted them. Hajbeh told the agents that he would find a private area in his home to watch the pornography, and would watch the videos with the sound off. Hajbeh acknowledged that he got excited and aroused by the videos and that he sometimes masturbated to the videos.

20. Hajbeh told the interviewing agents that he had a daily calendar reminder to delete content on his phone. This calendar message was observed by law enforcement agents on Hajbeh’s iPhone. Hajbeh explained that he had this reminder because the phone had insufficient storage he didn’t want to keep pornography on his phone and because his children sometimes would use his phone.

21. A computer forensic examination was conducted on the digital media devices seized pursuant to the warrant. The digital media devices seized included an HP Omni All-in-One PC and an iPhone 8 Plus with an IMEI number ending in 2882. The computer was found in a front room of Hajbeh’s residence. The smartphone was located in the master bedroom in the top drawer of a night stand located on the right side of the bed. The nightstand contained several brown plastic medication containers with prescription labels for “Majed Hajbeh.” Various envelopes and other mail items located within the nightstand were addressed to “Majed Hajbeh.” Additionally, Hajbeh said

during his interview that he used two different PINs to unlock his phones. One of the PINs that Hajbeh provided unlocked the smartphone.

Hajbeh's Smartphone

22. Hajbeh's smartphone was associated with an IMEI number ending in 2882, Hajbeh's icloud.com account, and Account 1 and Account 3.

23. On or about September 19, 2018 and August 10, 2019, records obtained from T-Mobile revealed that Hajbeh was the subscriber of Account 3 and that Account 3 was associated with Hajbeh's smartphone.

24. On or about October 16, 2020, Apple provided results pursuant to a federal court order 2703(d) for Hajbeh's icloud.com account. According to the subscriber information Hajbeh's icloud.com account is registered to Majed Hajbeh, Account 3, and Hajbeh's address in Woodbridge, Virginia. The iCloud account was created on May 5, 2017.

25. Agents conducted a review of Hajbeh's smartphone and, within Hajbeh's smartphone's video, image media, and Messaging Application group chats, identified hundreds of videos and images consistent with child pornography. The determination of whether a video contained child pornography was based on several factors, including the lack of pubic hair, physical development of genitalia, and lack of breast development. The following paragraphs are a sample of the child pornography and do not reflect all of the material found in the review.

26. A review of Hajbeh's smartphone revealed a pattern of activity in which Hajbeh would create a secure Messaging Application group using one Messaging Application account, then invite one or more of his other Messaging Application

accounts to the group. Hajbeh would then use the secure Messaging Application group to forward child pornography among his various Messaging Application accounts.

Hajbeh was also observed sending child pornography to one known individual (“Person 1”), a romantic partner, who responded disapprovingly. The paragraphs below describe in detail the child pornography Hajbeh forwarded from Account 1 on Hajbeh’s smartphone:

27. On July 22, 2019, Hajbeh created a Messaging Application group (“Group 1”) from Account 1 and added Account 2 as a participant. In Group 1, Hajbeh forwarded multiple videos consistent with child pornography from Account 1 to Account 2. The following videos are a sample of child sexual abuse material observed in Group 1:

- a. On July 22, 2019, Hajbeh forwarded Video 1, which was a video titled “12 yo Sawadie Penetration” with a cover image of a naked prepubescent female. Video 1 depicts the prepubescent female engaging in vaginal sexual intercourse with an adult male.
- b. On July 28, 2019, Hajbeh forwarded Video 2, which depicts a prepubescent female, wearing a dress with her genitalia exposed, being vaginally penetrated by an adult male penis.
- c. On August 16, 2019, Hajbeh forwarded Video 3, which depicts a female toddler being vaginally penetrated by an adult male penis. In Video 3, the female toddler is lying in a bed with her diaper removed and visible to one side. The adult male then inserts an erect penis into the female’s mouth and puts his mouth in the

vicinity of the child's genitalia. The adult male then vaginally penetrates the toddler with his penis again.

- d. On October 28, 2019, Hajbeh forwarded Video 4, in which an adult male penetrates the anus of a male minor and ejaculates into the child's anus.
- e. On the same day, Hajbeh forwarded Video 5, in which an adult male penis penetrates the anus of a prepubescent female. Video 5 depicts the prepubescent female's face, then zooms into the female's anus, then back to an erect adult penis.
- f. On October 31, 2019, Hajbeh forwarded Video 6, which depicts a prepubescent male exposing his genitalia and then appearing to penetrate a live donkey's anus. A smaller male toddler then puts what appears to be a brick next to the donkey, steps up, and attempts to penetrate the donkey with the other male child's assistance.

28. On November 8, 2019, Hajbeh created another Messaging Application group ("Group 2") from Account 1 and added Account 3 as a participant. In Group 2, Hajbeh forwarded multiple videos consistent with child pornography from Account 1 to Account 3. The following videos and links are a sample of child pornography observed in Group 2:

- a. On November 8, 2019, Hajbeh forwarded Video 7, which depicts a prepubescent female tied to a bed, with an adult hand rubbing lubricant on the female's genitalia. The adult hand then displayed

an object, indicating the object would be inserted into the child's vagina.

- b. On the same day, Hajbeh forwarded Video 8, which depicts a naked prepubescent male and naked prepubescent female. The prepubescent male inserts his finger into the prepubescent female's vagina. He then appears to insert his penis into the prepubescent female's vagina. An adult hand can be seen attempting to get a better angle of penetration by moving the prepubescent male's body. The prepubescent female then gets on top of the prepubescent male and attempts to stimulate his penis with her hand. She then appears to engage in intercourse with the prepubescent male.
- c. Also on November 8, 2019, Hajbeh forwarded two links to join a Messaging Application group titled "C P girl sex." Based on my training and experience I submit that individuals who engage in child pornography offenses will sometimes use the term "CP," short for child pornography, in order to establish the material to be exchanged.
- d. On November 16, 2019, Hajbeh forwarded a Messaging Application message that said "Follow this link to join my [Messaging Application] group: Child porn videos only." The Messaging Application link within the message was titled "Kids only cp," with an image of what appears to be a prepubescent female's genitalia.

Based on my training and experience I submit that individuals who engage in child pornography offenses will sometimes use the term “C P,” short for child pornography, in order to establish the material to be exchanged.

- e. On November 30, 2019, Hajbeh forwarded a link to join a Messaging Application group titled “Only child xxx group,” which was associated with a profile image that featured what appears to be a naked prepubescent female.
- f. On November 30, 2019, and December 16, 2019, Hajbeh sent a link to join a Messaging Application group titled “Send Child Porn,” with a smiley face emoji, which featured a profile image of an adult female and a prepubescent male who appeared to be engaged in penile-vaginal sexual intercourse.
- g. On December 16, 2019, Hajbeh forwarded a link to join a Messaging Application group titled “12 years Kids XXX Child.”

29. On June 8, 2019, Hajbeh created another Messaging Application group (“Group 3”) from Account 1 and added Account 3 as a participant. In Group 3, Hajbeh forwarded multiple videos consistent with child pornography, including the following videos:

- a. On June 8, 2019, Hajbeh forwarded Video 9 which depicts a prepubescent female being ejaculated on by an adult male penis.
- b. On the same day, Hajbeh forwarded Video 10 which depicts an adult male penis penetrating a prepubescent female’s anus. The

video also flashes a colorful title that is partially cut off and displayed over the face of the prepubescent female. The title appears to read “Cutte baby.”

30. On October 5, 2019, Hajbeh created a new Messaging Application group (“Group 4”) and used it to forward a video consistent with child pornography from Account 1 to a Messaging Application account in the name of Person 1. On October 5, 2019, Hajbeh sent Person 1 Video 11 which depicts a prepubescent female being penetrated vaginally by an adult male penis while the adult male is ejaculating in and on the child. The adult male then uses his hand to spread the ejaculate on the child’s genitalia. The child’s buttocks appear to be smaller than the size of the adult’s hand. On the same day, Person 1 responded “God forgive you.”

31. Hajbeh sent Person 1 numerous adult pornography videos and images of a sexual nature, as well as romantic images such as flowers. Video 11 is the only video associated with child pornography that has been observed so far between Hajbeh and Person 1.

32. Between June 23, 2019 and June 30, 2019, Account 1 and Account 3 were participants in a Messaging Application group (“Group 5”) that exchanged videos consistent with child pornography. Group 5 was created in or around June 23, 2019, and included hundreds of other participants who were primarily associated with foreign telephone numbers. On June 26, 2019, Hajbeh received through Group 5 several videos consistent with child pornography, of which the following videos are a sample:

a. Video 12 depicts an adult male penis penetrating the vagina of a prepubescent female. Afterwards, an adult hand manipulates the

prepubescent female's vagina and penetrates the prepubescent female in the vagina and anus with an adult finger.

- b. Video 13 depicts a prepubescent female being penetrated vaginally by an adult male penis.
- c. Video 14 depicts a female minor being penetrated orally by an adult male penis. At the end of the video the adult male forcefully pushes the adult male's penis further into the female minor's mouth and the female minor attempts to pull away and push the adult male back.

33. On July 16, 2019, Hajbeh created another Messaging Application group ("Group 6") from Account 1 and added Account 4 as a participant. In Group 6, Hajbeh forwarded multiple videos consistent with child pornography from Account 1 to Account 4. The following videos are a sample of child sexual abuse material observed in Group 6:

- a. On August 6, 2019, Hajbeh forwarded Video 15, which depicts two prepubescent females engaged in penile-vaginal intercourse with two adult males videotaping each other penetrating the females.
- b. On August 8, 2019, Hajbeh forwarded Video 16, which depicts a prepubescent male vaginally penetrating an adult female while another prepubescent male watches.
- c. On August 9, 2019, Hajbeh forwarded Video 17, which depicts an adult male penetrating a prepubescent female.

34. Between August 8, 2019 and August 16, 2019, Account 1 and Account 2 were participants in a Messaging Application group (“Group 7”) that exchanged material consistent with child pornography. Group 7 was created in or around August 8, 2019 and included hundreds of other participants who were primarily associated with foreign telephone numbers. The child sexual abuse material observed in the Group 7 included a link that Account 1 received on August 15, 2019, that said “Send Child Porn” with a smiley face emoji and an image depicting a prepubescent male penetrating an adult female.

35. On December 1, 2019, Hajbeh created another Messaging Application group (“Group 8”) using Account 1 and added Account 5 as a participant. In Group 8, Hajbeh forwarded multiple videos consistent with child pornography from Account 1 to Account 5, including the following videos:

- a. On January 5, 2020, Hajbeh forwarded Video 18 which depicts a prepubescent female being penetrated by an adult male and ejaculating on the female.
- b. Also on January 5, 2020, Hajbeh forwarded Video 19, which depicts a prepubescent male engaging in vaginal intercourse with an adult female and performing oral sex on the adult female’s vagina.

36. On January 3, 2020, Hajbeh created another Messaging Application group (“Group 10”) from Account 1. The following videos are a sample of child sexual abuse material observed in Group 10:

- a. On January 5, 2020, Hajbeh forwarded Video 20, which depicts a prepubescent female engaging in vaginal intercourse with an adult male.
- b. On the same day, Hajbeh forwarded Video 21 which depicts a prepubescent male engaging in vaginal intercourse with an adult female and performing oral sex on the adult female's vagina and is the same video as Video 19.

Hajbeh's Computer

37. Agents conducted a review of Hajbeh's computer and identified multiple images and videos consistent with child pornography. This determination was based on several factors, including the lack of pubic hair, physical development of genitalia, and lack of breast development. The following is an example of the child sexual abuse material identified and is not all-inclusive of the review.

- a. Image 1, depicts what appear to be two male minors (Boy 1 and Boy 2) engaged in sexual activity. Boy 1 is standing with his pants around his legs as Boy 2 is on his knees with Boy 1's penis in his mouth.
- b. Images 2, 3, and 4 are three separate images that depict three different prepubescent females, each with the female's legs spread and their genitalia exposed in a lewd and lascivious manner.
- c. Image 5 depicts an adult male's erect penis in the vicinity of a prepubescent child's anus. The male appears to attempt to insert his penis into the child's anus.

- d. Images 6, 7, and 8 are three separate images that depict three different adult male's erect penises inserted into three different male minor's mouths.
- e. Image 9 depicts a prepubescent female being penetrated by an adult male's erect penis.
- f. Image 10 depicts a prepubescent female wearing a red and white skirt and being penetrated by an adult male's erect penis.
- g. A carved video from Hajbeh's computer depicts two prepubescent females on top of each other with genitalia exposed. An adult male can be heard directing both females while an adult male's erect penis penetrates both females' genitalia. The adult male then directs both females to kiss each other.
- h. A carved video from Hajbeh's computer depicts a prepubescent male being aroused by an adult female. The adult female engages in intercourse while on top of the prepubescent male.

38. The images located on Hajbeh's computer were contained in an IOS backup from Hajbeh's smartphone. The date associated with the images contained in the IOS backup of Hajbeh's smartphone were May 17, 2018.

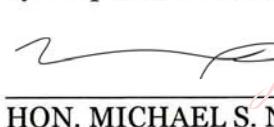
39. The IOS backup to Hajbeh's computer is associated with iCloud account Hajbeh's icloud.com account and Account 3. Hajbeh's smartphone IOS backup to Hajbeh's computer has a device name "Majed's iPhone" and was backed up to Hajbeh's computer on May 17, 2018.

CONCLUSION

40. Based on the above information, I respectfully submit that there is probable cause to believe that in or around May 2018 through June 2020, in the Eastern District of Virginia, Majed Talat Hajbeh, a/k/a "Abu Khaled," knowingly transported child pornography using a means or facility of interstate commerce in violation of 18 U.S.C. § 2252(a)(1) & (b)(1). Therefore, I respectfully request that a criminal complaint and arrest warrant be issued for Majed Talat Hajbeh.

Michael M. Skapes
Michael M. Skapes
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to in accordance with Fed. R. Crim. P. 4.1
by telephone on December 7, 2020


Digitally signed by Michael S.
Nachmanoff
Date: 2020.12.07 20:40:25
05'00'
HON. MICHAEL S. NACHMANOFF
United States Magistrate Judge